

REMARKS

Claims 61-92 are pending in the instant application. Claims 1-60 are hereby cancelled without prejudice. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 1-10, 12-19, and 21-60 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The instant §112 rejection is now moot as claims 1-60 have been cancelled.

Claim Rejections – 35 U.S.C. § 102

Claims 1-4, 7-9, 11, 13, 18, 19, 21, 22, 25, and 49 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0126345 A1 to Green et al (“Green”). Claims 1-5, 7-9, 12, 16, 25-29, 31, 34-38, 41, 45, 49, and 52 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,108,355 to Zorabedian. The instant § 102 rejections are now moot as claims 1-60 have been cancelled.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 6, 7, 15, 16, 18, 24-29, 31, 34-36, 38, and 40-60 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Green in view of U.S. Patent No. Zorabedian, and further in view of U.S. Patent No. 3,676,799 to Danielmeyer. The instant § 103(a) rejections are now moot as claims 1-60 have been cancelled. However, Applicants kindly note that Green, Zorbedian, and the present application were all subject to an obligation of assignment to New Focus, Inc. of Santa Clara, CA at the time of their respective invention dates. Currently, Green, Zorbedian, and the present application are all assigned to Intel Corporation of Santa Clara, CA. Consequently, Green and Zorbedian may not be used to preclude patentability under § 103 pursuant to 35 U.S.C. § 103(c), which reads:

Subject matter developed by another person , which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: Aug. 28, 2003

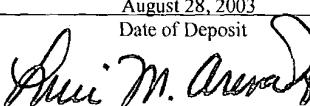


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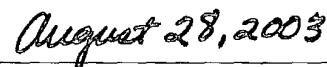
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on August 28, 2003
Date of Deposit



Luci M. Arevalo



Date